

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

UNITED STATES OF AMERICA §
§
VS. § CRIMINAL NO. H-90-424 (02)
§
GERMAN DUQUE §

OPINION AND ORDER

Before the Court is a Report and Recommendation from the United States Magistrate Judge dated October 17, 2006, which recommends that the “ Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2) Relying on Retroactive Amendments 591 and 599” of Defendant, German Duque, be denied; Duque was given until November 3, 2006, to file written objections but none have been filed.

Upon *de novo* review, pursuant to 28 U.S.C. § 636(b)(1)(C), this Court finds that the Report and Recommendation (Instrument no. 474) of the Magistrate Judge is a well reasoned and correct application of the relevant amendments to the United States Sentencing Guidelines to the facts in this case and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is the **ORDER** of this Court that the “ Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2) Relying on Retroactive Amendments 591 and 599” (Instrument no. 472) of Defendant German Duque is **DENIED**.

DONE at Galveston, Texas, this 5th day of December, 2006.



Samuel B. Kent
United States District Judge